

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARION R. PENIGAR,

Plaintiff,

VS.

DOUGLAS COUNTY, et al.,

Defendants.

8:05cv424

ORDER to SHOW CAUSE

This matter is before the court sua sponte. Fed. R. Civ. P. 4(m) establishes a time limit for service of process on the defendants in a civil case. In the court's Order on Initial Review directing the issuance of summons forms, and again in response to the plaintiff's request for more summons forms, the court extended the deadline for service of process on the defendants. However, all deadlines for service of process have expired, and the court's records show no proof of service of process on any defendant. The plaintiff has been warned that failure to obtain timely service of process on the defendants could result in dismissal of this matter without prejudice.

THEREFORE, IT IS ORDERED:

1. That by July 15, 2006, the plaintiff shall file a pleading entitled Response to Order to Show Cause explaining any reason the plaintiff may have why the above-entitled case should not be dismissed, without prejudice, for failure to obtain timely service of process on any defendant; and

2. That in the absence of a Response to Order to Show Cause by the deadline stated above, this case may be subject, without further notice, to dismissal without prejudice by Chief Judge Joseph F. Bataillon.

DATED this 28th day of June, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge